

## **REMARKS**

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Office Action mailed November 16, 2005. Claims 1-11, 24 and 25 were rejected, while claims 12-23, 26 and 27 were withdrawn.

Claims 1-11, 24, 25, and 28-41 remain in the application. Claims 1-27 were originally presented. Claims 8, 12-23, 26 and 27 have been canceled without prejudice. New claims 28-41 have been added. Support for the new claims is clearly found in the specification (page 2, line 20 – page 4, line 31); drawings (FIGs. 1b and 2a-e); and original claims 1-7 and 8-11.

### **Drawing Objections**

The drawings were objected to under 37 C.F.R. § 1.84(p)(5) for including a reference character, namely number 82, not mentioned in the description. Applicant respectfully directs attention to the specification at page 3, line 30, where reference number 82 is identified as an upper surface of the spring arm.

### **Claim Rejections - 35 U.S.C. § 112**

Claim 8 was rejected under § 112, 2nd paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 8 has been cancelled.

### **Claim Rejections - 35 U.S.C. § 102**

Claims 1-7, 9, 11, 24 and 25 (including independent claims 1 and 24) were rejected under 35 U.S.C. § 102(b) as being anticipated by Morikawa. Applicant respectfully traverses this rejection for the reasons identified below.

The Morikawa reference fails to disclose an indentation formed near the lower end of an inclined surface that engages a leading edge of the media stack.

In contrast, independent claims 1 and 24 set forth:

"an inclined surface having a lower end and configured to engage a leading edge of a media stack; an indentation, formed near the lower end of the inclined surface."  
(emphasis added)

The Morikawa reference discloses a spring unit 54 formed by a piece of spring plate that is cut and folded to form a web 62 with a first pair of pick springs 58, a second pick spring 60, and first urging springs 66. Only the first pair of pick springs 58 and the second pick spring 60 contact the pick roller 20, and thus the paper, while the first urging springs 66 contact the pad pieces 68 to urge the pad pieces 68 to the roller 20.

The only portions of Morikawa's spring unit 54 that contact the roller or paper are the lowermost ends of the first pair of pick springs 58 and the second pick spring 60, clearly indicated at P and Q in FIG. 6. Neither the first pair of pick springs 58 or the second pick spring 60 has an indentation. The first pair of pick springs 58 is completely flat, while the second pick spring has a protrusion to engage the paper, not an indentation. The first urging springs 66 only urge the pad pieces 68, and are incapable of contacting the paper, as clearly shown in FIG. 7. The inclined surface 62 identified in the Office Action is also incapable of contacting the paper due to the pad unit 56, as clearly shown in FIG. 7.

Therefore, Applicant respectfully submits that claims 1 and 24 are allowable, and urges the Examiner to withdraw the rejection. Dependent claims 2-7, 9, 11 and 25 are allowable for at least their dependence on an allowable independent claim.

With respect to claim 9, the Morikawa reference fails to disclose a spring arm with an upper surface that is substantially flush with the inclined surface in the forward position. Referring to FIG. 9, the second pick spring 60 is clearly angled with respect to the other features, such as first urging springs 66, first pair of pick springs 58, and web 62. Even when the second pick spring 60 is deflected, as in FIG. 6, its upper surface is not flush with the inclined surface of any component that contacts the paper.

### **Claim Rejections - 35 U.S.C. § 103**

Claim 10 was rejected under 35 U.S.C. § 103 as being unpatentable over Morikawa.

Dependent claim 10 is allowable for its dependence on an allowable independent claim.

Therefore, Applicant respectfully submits that claim 10 is allowable, and urges the Examiner to withdraw the rejection.

## CONCLUSION

In light of the above, Applicant respectfully submits that pending claims 1-11, 24, 25, and 28-41 are now in condition for allowance. Therefore, Applicant requests that the rejections and objections be withdrawn, and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call Robert D. Wasson at (360) 212-2338 so that such matters may be resolved as expeditiously as possible.

Fourteen claims were added (claims 28-41), including two independent claims (claims 30 and 41), while fifteen claims were canceled (claims 8, 12-23, 26 and 27), including two independent claims (claims 12 and 26). Therefore, no additional fee is due.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. ~~20-0100~~.

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DATED this 21 day of January, 2005.

Respectfully submitted,



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### **Drawing Amendments**

The attached sheet of drawings includes changes to FIG. 1b to correct the placement of the lead line for reference number 82. No new subject matter was added. This sheet, which includes FIGs. 1a-c, replaces the original sheet containing FIGs. 1a-c.

Attachment: Replacement sheet.